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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,197	11/25/2003	Michael H. Ayliffe	4189-PA19	5516
29370	7590	08/18/2005	EXAMINER	
ROBERT A. PARSONS 4000 N. CENTRAL AVENUE, SUITE 1220 PHOENIX, AZ 85012			HEALY, BRIAN	
			ART UNIT	PAPER NUMBER
			2883	

DATE MAILED: 08/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,197

Applicant(s)

AYLIFFE ET AL.

Examiner

Brian M. Healy

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5,10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Mitsuda et. al., U.S.P. No. 5,978,535.

Mitsuda et. al. 535' teaches (Figs.1-23) an optical fiber coupled power module apparatus comprising: a receptacle assembly 100 including an elongated optical fiber 107 placed in an opening 121,122 with a longitudinal axis (i.e. Z-axis) and an optoelectronic laser element 103, a variable optical power coupling and polarized isolator apparatus 113, 114,112,111 so that light beams are rotated about the longitudinal axis without moving along an optical axis so that a varied amount of optical power is launched into the abutting optical fiber 107. It should be noted that different angles of polarization direction are inherent to the operation of the rotating polarized isolator. The teachings of Matsuda et. al. 535' clearly, fully meets Applicant's claimed limitations.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2883

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-9 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mitsuda et. al., U.S.P. No. 5,978,535 in view of Ichihara et. al., U.S.P. No. 6,749,347.

The teachings of Mitsuda et. al. 535' has already been discussed. Mitsuda et. al. 535' does not teach the use of a beveled end optical fiber for optical signal launch and reducing backreflection.

Ichihara et. al. 347' teaches (Figs.1-6B) a laser diode coupling apparatus comprising : a laser diode assembly 18 which launches light power to a beveled (or angled) end optical fiber or optical fiber stub so that back reflection will be reduced.

Both Mitsuda et. al. 535' and Ichihara et. al. 347' are both from the same field of endeavor, i.e. optical fiber coupling devices, the purpose of using a beveled (or angled) optical fiber stub or beveled optical fiber in an optical fiber coupling device in order to reduce backreflection, as is taught by Ichihara et. al., 347', would have been recognized in the pertinent prior art of Mitsuda et. al. 535'.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the optical fiber coupling apparatus of Mitsuda et. al. 535' in order to include a beveled (or angled) optical fiber end, as is taught by Ichihara et. al. 347' for the purpose of lessening losses caused by backreflection.

The following references are also cited by the Examiner as being pertinent prior art: Carter, U.S.P. No. 4,749,250 (Figs.1-2), Sacharoff et. al., U.S.P. No. 5,395,362 (Figs.1-6B), German et. al., U.S.P. No. 6,724,958 (Figs.1-8), and Kuhara et. al., U.S.P. No. 5,787,215 (Figs.1-42B).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian M. Healy whose telephone number is (571)272-2347. The examiner can normally be reached on Compressed schedule Tues.-Thurs. 7AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on (571)272-2415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brian M. Healy
Primary Examiner
Art Unit 2883



Brian Healy
Primary Examiner